

PATENT

UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	DePhillipo and Ricciardi
Serial No.	09/924,011
Filing Date	August 7, 2001
Art Unit	1633
Confirmation No.	1968
Examiner	Kaushal
Title	Use Of Genetic Information For Detecting a Bone Density Condition
Attorney Docket No.	073981.2

Cincinnati OH

November 16, 2007

**DECLARATION OF ROBERT P. RICCIARDI, Ph.D.**  
**PURSUANT TO 37 C.F.R. §1.132**

I, Robert P. Ricciardi declare as follows:

1. I am an inventor in the above-identified patent application.
2. I received my Ph.D. degree in Cellular and Molecular Biology from the University of Illinois in 1977. I have over 30 years of experience in this field, which is the subject of this application. I have read the outstanding Office Action and understand the Examiner's position.
3. I understand that the Examiner rejects my claims as indefinite, and rejects my application as lacking sufficient description and enablement. My Declaration addresses each individual basis of the Examiner's rejections.
4. My claimed method, as currently amended, reads as follows; I have underlined the terms the Examiner deemed unclear:

A method comprising

assessing a relative degree to which a human is susceptible to an undesirable bone density condition by identifying a polymorphic form identified as associated with a bone density pathology in each of

a gene encoding a vitamin D receptor present in the human's genome, and

a gene encoding interleukin-6 present in the human's genome,

thereafter calculating a susceptibility value for the condition by either